

6-12-01

Attorney Docket No.: I0248/7016 ERP

Prostoway
10/24/01j1031 U.S. PTO
06/11/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. I0248/7016 ERP

First-Named Inventor or Application Identifier

Barbara P. Wallner et al.

Express Mail Label No. EL844532985US

Date of Deposit June 11, 2001

j1031 U.S. PTO
06/11/01

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents</i>		ADDRESS TO:	Box Patent Application Commissioner for Patents Washington, DC 20231
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> <input type="checkbox"/> Statement filed in prior application, Status still proper and desired.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total pages 32] 23 - pages description 1 - pages abstract 8 - pages claims 63 - Total claims</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total sheets - 6] <input checked="" type="checkbox"/> Informal <input type="checkbox"/> Formal [Figs. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10]</p> <p>5. <input type="checkbox"/> Oath or Declaration [Total pages] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <i>[Note Box 6 below]</i> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Incorporation by Reference <i>(usable if Box 5b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. See 19.</p> <p>7. <input checked="" type="checkbox"/> Application Data Sheet, See 37 CFR 1.76</p>		<p>8. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)</p> <p>9. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies</p>	
ACCOMPANYING APPLICATION PARTS			
<p>10. <input type="checkbox"/> Assignment Papers/cover sheet & documents(s)</p> <p>11. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney</p> <p>12. <input type="checkbox"/> English Translation of Document <i>(if applicable)</i></p> <p>13. <input type="checkbox"/> Information Disclosure Statement PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>14. <input type="checkbox"/> Preliminary Amendment</p> <p>15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></p> <p>16. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></p> <p>17. <input type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii)</p> <p>18. <input type="checkbox"/> Other: _____ _____</p>			

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in the body of the application, or a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No. 09/304,199, filed May 3, 1999, entitled Hematopoietic Stimulation and now allowed.

Cancel in this application claims 7, 13-15, 19-21, 23-29, 31-33, 35-41, 43-51, 53-57, and 59-63 before calculating the filing fee. Applicants reserve the right to pursue the subject matter of the canceled claims in this or one or more continuing applications.

Amend the specification by inserting before the first line of the specification on page 1, after the title, the following:

-- This application is a continuation application of prior U.S. patent application No. 09/304,199, filed May 3, 1999, entitled Hematopoietic Stimulation, and now allowed, the entire contents of which are incorporated herein by reference.

A1 **Prior application information:** Examiner J. Russell **Group Art Unit:** 1653

For CONTINUATION OR DIVISIONAL APPS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

20. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:



23628

21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Elizabeth R. Plumer, Reg. No. 36,637
SIGNATURE	<i>E. R. Plumer</i>
DATE	June 11, 2001

06/11/01
J.1031 U.S. PTO

Inventor or Identifier: Barbara P. WALLNER et al.
 Serial No: Not yet assigned
 Filed: Herewith
 For: HEMATOPOIETIC STIMULATION

CHECK BOX, if applicable:

 DUPLICATE

Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	Fee
	TOTAL CLAIMS (37 CFR 1.16(c))	20-20=	0 x	\$18	= \$
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	9-3=	6 x	\$80	= \$ 480.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$260	= \$
					BASIC FEE (37 CFR 1.16(a))
					\$ 710.00
					Total of above Calculations = \$ 1,190.00
					Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28). \$
					Assignment Recordation Fee (if any) \$
					Other Fees (if any). \$
					TOTAL = \$ 1,190.00

1. No check is enclosed. Please charge filing fees to Deposit Account 23/2825.

General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ 1.16 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

b. The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ 1.16 1.17 or 1.18.

3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.



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Docket No. I0248/7016
 Date: June 11, 2001